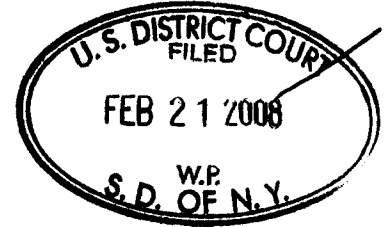


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



PATRIC KILKENNY,

Plaintiff,

Case No. 08-CV-588 (KMK)

-v-

ORDER

LAW OFFICE OF CUSHNER & GARVEY, L.L.P.,
TODD S. CUSHNER, TARRYTOWN
MANAGEMENT GROUP, INC., LAWRENCE A.
GARVEY, and JOHN DOES #1 AND 2,

Defendants.

KENNETH M. KARAS, District Judge:

On the basis of proceedings held today before the Court it is:

ORDERED that Defendants shall, by Wednesday, March 5, 2008, submit to the Court by mail (with copy to opposing party) a letter of not more than three pages stating the legal bases, including citation to applicable case law, for their proposed Rule 12(b)(6) motion to dismiss Plaintiff's Fair Labor Standards Act claim; and it is further

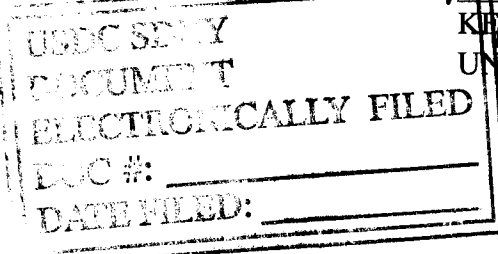
ORDERED that Plaintiff shall, by Wednesday March 19, 2008, submit to the Court by mail (with copy to opposing party) a letter of not more than three pages in reply to Defendants' letter; and it is further

ORDERED that the next conference in this case is set before this Court for Friday, April 18, 2008, at 10 a.m, and that Defendants' time to answer and all other deadlines in this case shall be stayed through such date.

SO ORDERED.

Dated: February 20, 2008
White Plains, New York

KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE



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